



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 24.10

Subject: Title VI

Supersedes: DCS 24.10, 01/01/02

Local Policy: No

Local Procedures: No

Training Required: No

Applicable Practice Model Standard(s): Yes

Approved by:

Effective date: 10/01/98

Revision date: 01/01/04

Application

To All Department of Children's Services Employees

Authority: Tennessee Human Rights Commission

Policy

No person in the United States shall, on the ground of race, color, national origin, sex, age, be excluded from participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated, funded, or overseen by the Tennessee Department of Children's Services. It is the intent of the Department of Children's Services to bind all agencies, organizations, or governmental units operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964. DCS will ensure culturally competent services and programs to effectively meet the needs of the children and families served.

Procedures

A. Prohibited practices

1. Prohibited practices include the following:

- ◆ Denying any individual any services, opportunity, or other benefit for which this individual is otherwise qualified;
- ◆ Providing any individual with any service, or other benefit, that is different or is provided in a different manner from that which is provided to others under the program;

- ◆ Subjecting any individual to segregate or separate treatment in any manner related to that individual's receipt of that service;
- ◆ Restricting any individual in any way in the enjoyment of services, facilities, or any other advantage, privilege, or other benefit provided to others in the program;
- ◆ Adopting methods of administration that would limit participation by any group of recipients or subject them to discrimination or,
- ◆ Addressing an individual in a manner that denotes inferiority because of race, color, or national origin.
- ◆ Subjecting any individuals to incidents of racial or ethnic harassment, the creation of a hostile racial or ethnic environment, and a disproportionate burden of environmental health risks on minority communities.

B. Title VI Program

1. The overall responsibility of complying with the provisions of Title VI is vested in the DCS Commissioner, who is accountable for the administration of DCS and its organizational subdivisions, regional offices, youth development centers and DCS community residential facilities programs.
2. The departmental Title VI Officer will oversee Title VI compliance efforts. The responsibility for coordinating Title VI within DCS is assigned to and divided among supervisory employees. The departmental Title VI Officer will conduct an annual survey of compliance efforts prepared by DCS employees to ensure that the following have occurred:
 - a) DCS employees have received appropriate and adequate training on Title VI to function fully in their responsibilities associated with Title VI compliance and implementation
 - b) DCS employees have received all available materials such as the posters required for administering and complying with the Title VI program.
 - c) The departmental Title VI Officer will maintain copies of compliance reports from regional offices, youth development centers, DCS community programs and contract agencies for two years. The Director Of CIS Grant Programs will maintain compliance reports from CIS grants programs.

2. The annual survey will be reviewed by the senior administrator in each location and returned to the departmental Title VI Officer.
3. On-site monitoring may be conducted by DCS monitors coordinated through the internal audit division.

C. Non-compliance with Title VI

1. Any contracting agency unit found to be in non-compliance with Title VI must be given a written notice. Failure to eliminate further discrimination within ninety (90) days of receipt of notice will be considered as a violation of the terms of the contract and a basis for contract suspension, termination, or rejection.
2. If a state employee is found guilty of any discriminatory practice based on Title VI provisions, the employee may be subject to disciplinary action in accordance with the DOP Rules and DCS policy.

Forms

None

Collateral Documents

Title VI of the 1964 Civil Rights Act

Standards

DCS Practice Model Standard- 6-102